THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10957 of 2005

Dated:08.08.2007

Between
Macherla Eswar Reddy

.....Petitioner

and

1.The District Collector, Prakasam
District, Ongole and others.

…Respondents

THE HON'BLE SRI JUSTICE C.V.RAMULU

W.P.No.10957 of 2005

ORDER:

This writ petition has been filed at a time when 2nd respondent-Mandal Parishad Development Officer, Besthavaripet Mandal, Besthavaripet, Praksam District, entrusted the work of Augmentation of public water supply to 5th respondent.

It is the contention of the petitioner that such entrustment of work to 5th respondent by 2nd respondent is contrary to the guidelines laid down by the Government vide G.O.Ms.No.37, dated 18.2.2005. The Government has categorically decided to

entrust the works with an upper limit of Rupees five lakhs to Works Committee/Self Help Groups at the village level and the nominee of the committee or group leaders may enter into agreement with the executing agency as per the guidelines laid down. Further, in any case Gram Panchayat fails to constitute the above committee due to various reasons, with in a time frame fixed by the concerned MPDO/DLPO then the MPDO concerned to the Gram Panchayat will constitute the HWC in the interest of development in that village.

According to the petitioner, there is already a Habitation Works Committee available in the village and constituted as early as in the year 2003 and in spite of the

same, 2nd respondent passed the resolution entrusting the work to 5th respondent.

Be that as it may, while admitting the writ petition on 3.5.2005 in WPMP No.14055 of 2005, this Court granted interim suspension. Under those circumstances, the works could not be entrusted to any Committee whether it is Habitation Works Committee or Village Level Committee or Self Help Group in the village.

In view of the above, without expressing any opinion on merits, respondents are directed to re-consider the matter, if works are still to be executed for entrusting the same to the Habitation Works Committee/Self Help Group Committee as per the guidelines laid down in G.O.Ms.No.37, dated 18.2.2005, within a

period of four weeks from the date of receipt of a copy of this order and communicate the same to the petitioner.

Writ petition is disposed of accordingly. No costs.

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08-08-2007

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